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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/541,461	03/31/2000	ABRAHAM NATHAN	1018.071US1	3662
22801	7590	08/01/2006	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			DONAGHUE, LARRY D	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/541,461

Applicant(s)

NATHAN ET AL.

Examiner

Larry D. Donaghue

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/30/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-25 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-25 and 27-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>see attached</u> . | 6) <input type="checkbox"/> Other: _____ |

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1. Claims 22-25 and 27-31 are presented for examination.
2. The rejection is maintained and set forth below.
3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 22-25 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Antur et al. (6,795,870) in view of Rozell et al. (Proxy Server's Structural Design)

As to claim 22, Antur et al., system for securing data communication across an external computer network, comprising: a client (col. 4, lines 1-7) located in an internal computer network (col. 4, lines, 10-14); a server (col. 3, lines 46-57) located in the external computer network (col. 4, lines 19-24) and in communication with the client; and an application-level gateway proxy device located in the internal computer network and comprising components for (1) performing, at a packet level, a network address translation upon a stream of packets originating from the client and (2) filtering, at a stream level, the stream of packets and transmitting the packets to the server, wherein the filtering is transparent to the client (col. 4, lines 1-7, col. 4, lines 27-67, col. 3, lines 58-67, col. 5, lines 10-20, col. 5, lines 27-46).

As to claim 23, Antur et al. taught the components of the proxy device comprise: a first component for filtering said stream of packets, and also for filtering, a stream level and transparently to the client. a second stream of packets originating from the server; and a second component for performing said network address translation, and also for performing at a packet level, a reverse network address translation with respect to the packets in the second stream and transmitting the packets in the second stream to the client (col. 4, lines 1-7, col. 4, lines 27-67, col. 3, lines 58-67, col. 5, lines 10-20, col. 5, lines 27-46).

Antur et al. did not expressly teach a communications socket internal to the application-level gateway proxy device and communicatively connected to the components for (1) performing the network address translation and (2) filtering. Rozell et al. set forth the use of sockets as standard and supplies motivating rationale (pages 8-9, section titled What Are Sockets) therefore it would be obvious to combine these references.

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As to claim 24, Antur et al. taught An application-level gateway proxy device located in an internal network, comprising: a component for performing, at a packet level, a network address translation with respect to a stream of packets originating from a client in the internal network, when wherein the client is communicating the stream of packets to a server located in an external network; a component for filtering at a stream level, the stream of packets, wherein the filtering is transparent to the client; and a component for transmitting the packets to the server after the packets are filtered (col. 4, lines 1-7, col. 4, lines 27-67, col. 3, lines 58-67, col. 5, lines 10-20, col. 5, lines 27-46).

As to claim 25, Antur et al. taught the proxy device further comprising: a component for filtering, at a stream level and transparently to the client, a second stream of packets originating from the server; a component for performing, at a packet level, a reverse network address translation upon the packets in the second stream; and component for transmitting the packets in the second stream to the client (col. 4, lines 1-7, col. 4, lines 27-67, col. 3, lines 58-67, col. 5, lines 10-20, col. 5, lines 27-46).

Antur et al. did not expressly teach a communication socket internal to the application-level gateway proxy device and communicatively connected to: the component for performing the network address translation; and the component for filtering; and a component for transmitting the packets to the server after the packets are filtered. Rozell et al. set forth the use of sockets as standard and supplies motivating rationale (pages 8-9, section titled What Are Sockets), therefore it would be obvious to combine these references.

As to claim 27, Rozell et al. taught filtering the stream of packets comprises transforming the stream (page 6, section titled Internet server API Filters first para.. see modification).

As to claim 28, Rozell et al. taught filtering the stream of packets comprises compressing the stream (page 6, section titled Internet server API Filters first para.. see modification, compression is a well known method of modifying data.).

As to claim 29, Rozell et al. taught filtering comprises content monitoring, content restriction, stream transformation, traffic redirection and combinations thereof (page 6, section titled Internet server API Filters). Claims 30-31 fail to teach above or beyond claims 22-25 and 27-29.

5. Applicant's arguments filed 05/30/2006 have been fully considered but they are not persuasive.

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6. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Rozell expressly supplies the rationale for combining the references as he set forth "Sockets are a standard implementation of APIS to support an array of TCP/IP applications. That is to say, they are a common set of access rules and calls that IP programs can make.", sockets are standard in the Internet art; "Through the use of sockets, there is no need for a programmer to rewrite items that the operating system should already support."; that use of sockets save programming cost; and "The idea of providing a simple and standard programming interface is common in technologies such as Microsoft's NDIS, Novell's ODI, and so forth. Although these are all different applications, they Support the same idea." , that sockets allow for a simple and standard programming interface for multiple platforms.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry D. Donaghue whose telephone number is 571-272-3962. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



LARRY D. DONAGHUE
PRIMARY EXAMINER